

Senator Robert F. Bennett
Opening Statement
Senate Rules Committee Hearing
April 22, 2010

Thank you Mr. Chairman.

While we were preparing for this hearing my staff came across a report put together by an organization called the Democratic Study Group - an organization of Democrats who served in the House of Representatives.

The report is titled "A Look at the Senate Filibuster."

The first page has a large graph on it that is meant to demonstrate that "The Use of the Senate Filibuster Has Exploded in Recent Years."

It goes on to lament the burdens imposed by the filibuster describing its use as "epidemic" and "undemocratic."

It then lists a number of bills passed by the Democratic majority in the House that were either "blocked or watered down" because of the "obstruction" made possible by the filibuster.

Now these are all arguments that we have been hearing a lot of recently but the most interesting thing about this report is the date on it.

This report was released in June 1994.

And since this hearing is supposed to give us a historical perspective let's look back at the history of those times for a moment.

In June 1994 the Democrats had 258 Members in the House.

They had 57 Senators.

And there was a Democrat in the White House.

Then, as now, the only impediment to total domination of the policy process by the Democrats was the Senate Rules that give the minority a voice.

Then, as now, some Democrats were frustrated by this impediment and wanted to remove it so there would be no restraint on their ability to move their agenda.

What happened next?

The Senate did not change its rules but there was an election that Fall.

In that election, the Democrats lost 54 seats in the House and their majority for the first time in 40 years.

They lost 9 seats in the Senate, and their majority in this body.

Now as we sit here in the Spring of 2010 we have to ask ourselves - will our colleagues in the majority learn from that history or will they be doomed to repeat it?

I can appreciate the frustrations of the current majority.

I understand why they would want to be able to move their agenda without having to make any compromises or work with the minority at all.

But our system does not work that way.

Governing in a democracy is hard. It's meant to be that way.

If the Founding Fathers wanted governing to be easy they wouldn't have set up the system they did.

They would have given us a King or Dictator instead of three branches of government and a bi-cameral legislature.

The whole purpose of this division of power, this creation of checks and balances, was to ensure that no single branch, no single force, no single majority, could unilaterally impose its will on the country.

Yes, they provided for elections so the government would reflect the will of the people but they also feared the "tyranny of the majority" that could ensue if a temporary majority were able to impose its will without check or balance.

To impose these checks and balances they divided power amongst three separate branches of government and then divided the legislative branch into two separate houses.

I understand these divisions of power can make it hard to move an agenda and that it would be easier if we just eliminated these checks and balances.

It would be easier but it would also be wrong.

And it would be an abandonment of the principles that have served this body and this country well for over 200 years.

I have served in this body in both the majority and the minority.

When I was in the majority, I had to work with Members of the minority. I couldn't get everything I wanted and it took me a lot longer to get compromises than I would have liked.

When, as now, I have served in the minority, Members of the majority have had to work with me.

While I may have been frustrated by this necessity when I was in the majority, I am grateful for it now that I am in the minority.

I expect my colleagues who are now frustrated may one day be grateful – from my perspective I hope they feel grateful very soon.

The American people want us to get things done but they also want us to work together.

They do not want one party – either party – to be able to do whatever it wants without restraint and without any check or balance.

In this body, the minority has a voice.

The filibuster ensures that voice, and the millions of citizens we represent, will be heard.

I would encourage my colleagues in the majority to listen to that voice, instead of trying to silence it.

If they don't listen they may discover that citizens have other means of making themselves heard and come November, history may be repeating itself.